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12   UNITED STATES DISTRICT COURT

13   NORTHERN DISTRICT OF CALIFORNIA

14   SAN FRANCISCO DIVISION

15

16   SECURITIES AND EXCHANGE   Case No. 3:23-mc-80253-LB
     COMMISSION,
17   **PROPOSED REPORT AND
                                          RECOMMENDATION IN THE FORM OF
18   Applicant,   AMENDED RULING ON APPLICATION
                                          TO ENFORCE ADMINISTRATIVE
19   v.   SUBPOENA**

20   ELON MUSK,   Re: ECF No. 1

21   Respondent.

22

23   On December 14, 2023, the Court held a hearing in connection with the Securities and

24   Exchange Commission's (SEC) Application to Enforce Administrative Subpoena. ECF No. 1. On

25   February 10, 2024, the Court issued a ruling granting the SEC's application. ECF No. 37. Because

26   Mr. Musk did not consent to the jurisdiction of a Magistrate Judge to resolve this dispositive motion,

27   the Court now clarifies that its ruling operates as a Report and Recommendation. *See, e.g.*, *EEOC
     v. Anna's Linens Co.*, 2006 WL 1329650, at *1 (N.D. Cal. May 15, 2006). The parties have 14 days
28

1 from the date of this amended ruling to file objections with the district court. *See* Fed. R. Civ. P.

2 72(b)(2). Other than this change, the substance of the initial ruling has not been altered, and the

3 Court hereby incorporates the analysis in its February 10, 2024 ruling.

4   IT IS SO ORDERED.

5

6   DATED: February 15, 2024

7   _____

8   Laurel Beeler

9   United States Magistrate Judge